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From: **Name:** David A. Steffes, Esq.

 Voice: 202-736-8157

To: **Name:** Honorable Commissioner of Patents
 Company: U.S. Patent and Trademark Office
 Facsimile#: 703-872-9306
 Voice Phone:
 Subject: Serial No. 09/854,280; Our Ref: 22338-402

Date: 10/20/2004 **Time:** 15:39:13 **No. Pages (Including Cover):** 8

Message:

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October 20, 2004

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Honorable Commissioner of Patents
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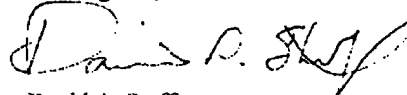
Re: U.S. Patent Application No. 09/854,280
Filed: May 10, 2001
For: IL-17 Homologous Polypeptides and Uses Thereof
Examiner: Dong Jiang
Art Unit: 1646

Dear Sir:

This morning my legal assistant, Yea Afolabi, spoke with Examiner Dong Jiang to inquire about the status of the above-identified U.S. Patent Application. Examiner Jiang indicated that she had not received an Amendment and Response, Fee Calculation Sheet and Notice of Appeal that we filed in that case on April 29, 2004 in response to the Final Office Action dated January 29, 2004. We received a date-stamped docket sheet on April 29, 2004 indicating that the PTO did indeed receive the Amendment and Response, Fee Calculation Sheet and Notice of Appeal. It appears that due to a clerical error at the PTO, these items were not forwarded to Examiner Jiang and may not have been docketed to the application.

Enclosed please find a copy of the Amendment and Response, Fee Calculation Sheet, Notice of Appeal that were filed on April 29, 2004 as well as the date-stamped docket sheet showing receipt of those documents by the PTO. Please docket the papers as necessary and forward them to Examiner Jiang so that she can proceed with examination of the above-identified application without further delay. We have already faxed a courtesy copy of the documents to Examiner Dong.

Best regards,



David A. Steffes

DAS:yea

Enclosures

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TOKYOPTO FILING/DOCKET RECEIPTInventor(s): Jian CHEN et al.Attorney Docket No. 22338-402Serial or Patent No.: 09/854,280Filing or Issue Date: May 10, 2001Confirmation No. (if assigned): N/ATitle: IL-17 HOMOLOGOUS POLYPEPTIDES AND USES THEREOF

Please acknowledge receipt of the following:

Amendment and Repose Under 37 C.F.R. §1.116; Fee Calculation for Enclosed
Response; Notice of AppealAttorney/Secretary: JPK: DAS/gpnPTO DATE STAMPDue Date: N/ASubmitted by: Gretchen NowlinDate: April 29, 2004

PTO DATE STAMPED COPY

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Patent Docket P1381R1C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jian Chen, <i>et al.</i>	Group Art Unit: 1646
Serial No.: 09/854,280	Examiner: Jiang, Dong
Filed: May 10, 2001	
For: IL-17 Homologous Polypeptides and Uses Thereof	

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

This is in response to the Office Action mailed on January 29, 2004. Consideration of the remarks herein are respectfully requested.

The Commissioner is authorized to charge any fees that may be required, including extension fees, or to credit any overpayment to Deposit Account No. 18-1260.

Attorney Docket No. 22338-00402

ART UNIT 1646
 EXAMINER Dong Jiang
 INVENTOR(S) Jian CHEN et al.
 SERIAL NUMBER 09/854,280
 FILED May 10, 2001
 FOR IL-17 HOMOLOGOUS POLYPEPTIDES AND USES THEREOF

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RESPONSE TRANSMITTAL AND EXTENSION OF TIME REQUEST (IF REQUIRED)

THE COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

Sir:

FEE CALCULATION FOR ENCLOSED RESPONSE and EXTENSION REQUEST (if any)					
	Claims Remaining	Highest No. Previously Paid	Number Extra	Rate	Additional Fee
Total Claims	12	20	0	\$18.00	0.00
Independent Claims	1	5	0	\$84.00	0.00
Surcharge For Multiple Dependent Claim First Added				+\$280.00	
<input type="checkbox"/> Applicant requests an extension of time for response to the outstanding Office Action. The large entity fee is					
TOTAL					0.00
<input type="checkbox"/> SMALL ENTITY STATUS (If applicable, divide TOTAL by 2) <input type="checkbox"/> Verified Statement enclosed, if not previously filed.					
<input type="checkbox"/> Reduction for Extension Fee of months already paid.....					
<input checked="" type="checkbox"/> OTHER: Notice of Appeal					330.00
TOTAL					330.00

☐ A check is enclosed to cover the fees as calculated above.

☒ The fees calculated above are to be charged to Deposit Account No. 18-1260

If for some reason applicant has not requested a sufficient extension of time and/or has not paid a sufficient fee for this response and/or the extension of time necessary to prevent the abandonment of this application, please consider this as a Request for an Extension for the required time period and/or an authorization to charge our Deposit Account No. 18-1260 for any fee which may be due. A duplicate copy of this sheet is enclosed.

SIDLEY AUSTIN BROWN & WOOD LLP

Apr. 29, 2004
 1501 K Street, N.W.
 Washington, D.C. 20005
 (202) 736-8000

By: Jeffrey P. Kushan

Reg. No. 43,401

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